



# HUNTSVILLE

The Star of Alabama

## CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number: 10.5.

Meeting Type: City Council Regular Meeting

Meeting Date: 9/9/2021

Type of Action: Approval/Action

Agenda Type: CITY COUNCIL

**Subject:**

Resolution to set a public hearing on the rezoning of 42.50 acres of land lying on the north of Cherry Tree Road and east of Esslinger Drive from Residence 1-A District to Residence 2 District; and the introduction of an Ordinance pertaining to the same. (Set October 28, 2021 Regular Council Meeting) (Planning)

**Account Number:****City Obligation Amount:****Total Project Budget:****Other Comments:**

Recommended by Planning Commission

**Grant Funded:****Grant Name - Resolution #:****Resolution #:****ATTACHMENTS:**

Description

- ☐ Willows Rezoning
- ☐ Willows Rezoning Resolution
- ☐ Willows Rezoning Ordinance
- ☐ Willows Rezoning Map

**RESOLUTION NO. 21-**

**WHEREAS**, the Planning Commission of the City of Huntsville, Alabama, has given consideration to an amendment to the Zoning Ordinance, a synopsis of said amendment being as follows:

- (1) The rezoning of certain lands lying on the north of Cherry Tree Road and east of Esslinger Drive from Residence 1-A District to Residence 2 District.
- (2) The first publication of this resolution, this synopsis, and the ordinance hereinafter set out at length shall be in the Huntsville Times on the 3<sup>rd</sup> day of October, 2021, and the second publication shall be one week thereafter on the 10<sup>th</sup> day of October, 2021, both of which publications shall be at least 15 days in advance of the date of the public hearing hereinafter referred to.

**WHEREAS**, it is the judgement and opinion of the City Council of the City of Huntsville, Alabama, that consideration should be given to the adoption of an amendment to the Zoning Ordinance of the City of Huntsville, Alabama, in accordance with said request;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Huntsville, Alabama, as follows:

1. That the City Council of the City of Huntsville, Alabama, shall meet at 5:30 p.m. on the 28<sup>th</sup> day of October, 2021, in the Council Chambers of the City of Huntsville Administration Building at 308 Fountain Circle in the City of Huntsville, Alabama, for the purpose of holding a public hearing at which time and place all persons, parties in interest and cities who desire, shall have an opportunity to be heard in opposition to or in favor of said Ordinance No. 21-\_\_\_\_, which is introduced by the City Council of the City of Huntsville on the 9<sup>th</sup> day of September, 2021, amending the Zoning Ordinance of the City of Huntsville, Alabama.

2. That the proposed amendment to the Zoning Ordinance of the City of Huntsville, Alabama, is substantially in words and figures as follows:

**ORDINANCE NO. 21-**

**AN ORDINANCE TO AMEND THE ZONING ORDINANCES OF THE  
CITY OF HUNTSVILLE, ALABAMA**

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The public welfare requiring it, and under authority granted by Section 11-52-78 of the 1975 Code of Alabama, **BE IT ORDAINED** by the City Council for the City of Huntsville, Alabama, as follows:

1. That the following area, lying on the north of Cherry Tree Road and east of Esslinger Drive, which area is now shown and classified on the Official Zoning Maps of the City of Huntsville, Alabama, Residence 1-A District, shall be shown and classified on the Official Zoning Maps of the City of Huntsville, Alabama, as Residence 2 District, in the Zoning Ordinances of the City of Huntsville, Alabama, said property being particularly described as follows:

All that part of Sections 32 and 33, Township 04 South, Range 02 East of the Huntsville Meridian, in the City of Huntsville, Madison County, Alabama beginning at a point located at the Southeast Corner of said Section 32; thence North 06 Degrees 18 Minutes 55 Seconds West, 2601.11 feet to a point; said point is further described as the Point of True Beginning; thence from the Point of True Beginning, North 08 Degrees 54 Minutes 41 Seconds East, 582.87 feet to a point; thence South 83 Degrees 22 Minutes 16 Seconds East, 130.38 feet to a point; thence South 83 Degrees 22 Minutes 15 Seconds East, 59.06 feet to a point; thence South 83 Degrees 22 Minutes 16 Seconds East, 119.38 feet to a point; thence South 83 Degrees 22 Minutes 14 Seconds East, 36.18 feet to a point; thence South 83 Degrees 22 Minutes 16 Seconds East, 31.85 feet to a point; thence North 06 Degrees 01 Minute 43 Seconds East, 120.71 feet to a point; thence North 06 Degrees 01 Minute 42 Seconds East, 361.86 feet to a point; thence North 04 Degrees 07 Minutes 20 Seconds East, 166.44 feet to a point; thence North 04 Degrees 07 Minutes 20 Seconds East, 112.07 feet to a point; thence North 06 Degrees 32 Minutes 37 Seconds East, 53.1 feet to a point; thence North 06 Degrees 32 Minutes 37 Seconds East, 6.63 feet to a point; thence North 02 Degrees 20 Minutes 28 Seconds East, 436.78 feet to a point; thence North 02 Degrees 20 Minutes 26 Seconds East, 51.54 feet to a point; thence North 02 Degrees 20 Minutes 26 Seconds East, 314.74 feet to a point; thence North 10 Degrees 34 Minutes 29 Seconds West, 378.07 feet to a point; thence South 88 Degrees 00 Minutes 59 Seconds West, 32.78 feet to a point; thence North 00 Degrees 00 Minutes 00 Seconds East, 63.37 feet to a point; thence South 89 Degrees 44 Minutes 53 Seconds East, 142.28 feet to a point; thence South 89 Degrees 43 Minutes 27 Seconds East, 419.63 feet to a point; thence South 89 Degrees 44 Minutes 58 Seconds East, 333.40 feet to a point; thence South 89 Degrees 44 Minutes 58 Seconds East, 96.82 feet to a point; thence South 89 Degrees 44 Minutes 20 Seconds East, 28.79 feet to a point; thence South 07 Degrees 29

Minutes 58 Seconds West, 846.47 feet to a point; thence South 07 Degrees 11 Minutes 16 Seconds West, 969.17 feet to a point; thence South 64 Degrees 41 Minutes 55 Seconds West, 264.04 feet to a point; thence South 90 Degrees 00 Minutes 00 Seconds West, 188.37 feet to a point; thence South 04 Degrees 34 Minutes 33 Seconds West, 195.85 feet to a point; thence North 83 Degrees 17 Minutes 25 Seconds West, 37.15 feet to a point; thence South 58 Degrees 40 Minutes 12 Seconds West, 915.90 feet to the Point of True Beginning and containing 42.50 acres, more or less.

2. The boundaries of the above district as described and defined above are hereby established and shall be shown on the Official Zoning Maps of the City of Huntsville, Alabama, on file in the Planning Division of the Urban Development Department, in accordance with the various classifications herein enumerated and hereafter the regulations governing said district under the Zoning Ordinance of the City of Huntsville, Alabama, shall apply to the area so described.

3. This ordinance shall take effect from and after the date of publication.

**ADOPTED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
President of the City Council of  
the City of Huntsville, Alabama.

**APPROVED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

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Mayor of the City of Huntsville, Alabama

**ADOPTED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

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President of the City Council of  
the City of Huntsville, Alabama.

**APPROVED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

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Mayor of the City of Huntsville, Alabama

# PROPOSED RESIDENCE 2 DISTRICT

